

E-filed: 6/19/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RAMBUS INC.,

Plaintiff,

v.

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC.,
HYNIX SEMICONDUCTOR
MANUFACTURING AMERICA INC.,

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

No. C-05-00334 RMW

ORDER DEFERRING RULING ON
SAMSUNG'S MOTION FOR LEAVE TO
FILE EXCESS PAGES; GRANTING
RAMBUS PERMISSION TO FILE
ADDITIONAL PAGES; AND GRANTING
SAMSUNG PERMISSION TO FILE A
RESPONSE

[Re Docket No. 1797]

RAMBUS INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR,
L.P.,

Defendants.

No. C-05-02298 RMW

[Re Docket No. 858]

ORDER DEFERRING RULING ON SAMSUNG'S MOTION FOR LEAVE TO FILE EXCESS PAGES; GRANTING RAMBUS
PERMISSION TO FILE ADDITIONAL PAGES; AND GRANTING SAMSUNG PERMISSION TO FILE A RESPONSE
C-05-00334 RMW; C-05-02298 RMW
TSF

1 The court's detailed case management order set a briefing schedule for Rambus's motion for
2 summary judgment regarding its statute of limitations defense. *See* C-05-02298, Docket No. 777, at
3 3 (N.D. Cal. May 7, 2008). Rambus therefore filed its motion on May 22, 2008. The case
4 management order required Samsung to file its opposition on July 13, over three weeks later. At
5 11:10 p.m. on Friday, June 13, Samsung filed a motion for administrative relief for leave to file an
6 opposition brief exceeding the 25-page limit imposed by the civil local rules. Samsung then filed an
7 errata to the opposition and its supporting declaration on Monday, June 16 after 8:00 p.m.

8 On Wednesday, Rambus opposed Samsung's motion for leave to file excess pages. Rambus
9 points out that Samsung failed to request leave to file excess pages *prior to* the brief's due date. *See*
10 Civ. L. Rule 7-4(b). Rambus also criticizes Samsung's supporting basis for the request for excess
11 pages. *See* Civ. L. Rule 7-11(a). Rambus requests that the court strike Samsung's opposition to
12 its motion for summary judgment. Mere hours after Rambus's filing, Samsung filed a brief response
13 noting the severity of the proposed sanction and suggesting alternative methods of resolving this
14 dispute.

15 The Honorable Ronald M. Whyte is currently out of the country. In light of Rambus's
16 opposition to Samsung's administrative motion, the court staff is reluctant to act on Samsung's
17 motion in his absence. Furthermore, the judge will not return until after Rambus's reply is due. To
18 preserve the status quo for the judge's consideration, Rambus may file a reply brief of up to 30
19 pages. Also, if Samsung wishes to supplement its response to Rambus's opposition to the motion for
20 leave to file excess pages, it may do so. Samsung's response addressing the appropriate scope of
21 relief, if any, is due June 23 and may not exceed 5 pages.

22
23 DATED: 6/19/08


JEREMY FOGEL
United States District Judge

Notice of this document has been electronically sent to counsel in: C-05-00334 and C-05-02298.

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United States District Court

For the Northern District of California

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Counsel are responsible for distributing copies of this document to co-counsel that have not registered for e-filing under the court's CM/ECF program in each action.

Dated: 6/19/2008

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Chambers of Judge Whyte

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